

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

TRE'MANE FUQUA

Plaintiff,

v.

CENTRA HEALTH, INC., et. al.

Defendants.

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CASE NO.: 6:23CV00065

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE AFFIDAVIT OF
SERVICE FOR DEFENDANT JOHN DOE**

COMES NOW the Plaintiff, Tre'Mane Fuqua, by and through his attorney, M. Paul Valois, Esq., and respectfully moves the Court to enter an order extending the time for filing the affidavit of service of the Complaint and Summons on Defendant John Doe under Federal Rules of Civil Procedure 4(m). In support thereof, Plaintiff states as follows:

1. Plaintiff filed his Complaint herein on October 23, 2023.
2. On January 12, 2024, Defendant Centra Health, Inc. was served by substituted service on Patricia Brads, the authorized agent appointed to accept service for Alison Ferguson Gobble, Registered Agent. That return of service was filed herein on January 15, 2024.
3. The precise identity of Defendant John Doe is unknown to the Plaintiff at this time, and further investigation and discovery is necessary to ascertain his identity and whereabouts.
4. Under Rule 4(m), the deadline to serve the remaining defendant is January 22, 2024.
5. Plaintiff is now requesting an extension of time to propound early discovery requests to Defendant Centra Health, Inc. to identify Defendant John Doe, and then to serve him with the Summons and Complaint thereafter.

6. Pursuant to Rule 26(d)(2), the earliest Plaintiff may propound early Rule 34 discovery requests to Defendant Centra Health, Inc. is more than 21 days following service of the Summons and Complaint, which is February 5, 2024.
7. Defendant Centra Health, Inc. will not be required to respond until thirty days following service of those requests, which will be the date of the first Rule 26(f) conference, which has yet to be scheduled, as no pretrial order has yet been entered in this matter.
8. Therefore Plaintiff is requesting an extension of time to serve Defendant John Doe, by sixty days, to allow Plaintiff enough time to propound early Rule 34 discovery requests upon Defendant Centra Health, Inc., for service thereof upon the first Rule 26(f) conference, to allow thirty days for Defendant Centra Health, Inc. to respond, and then for the remainder of time to locate and serve Defendant John Doe.

WHEREFORE, In light of the foregoing, Plaintiff respectfully prays this Court grant him a 60-day extension of the time period for filing the affidavit of service for Defendant John Doe.

Respectfully Submitted,

TRE'MANE FUQUA
By Counsel

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By: /s/ M. Paul Valois
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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of January, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such to all counsel of record.

/s/ M. Paul Valois, Esq.
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